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October 12, 2010

<u>VIA MESSENGER DELIVERY</u>

Clerk of the Superior Court LASC Central Appeal/Transcript Unit, Room 111A 111 North Hill Street, LA 90012

Re:

Notice of Omitted Portion of Record on Appeal

Dunn v. City of Burbank, et al. LASC Case No. BC417928

Dear Clerk:

Upon reviewing the Clerk's Transcript in connection with the appeal filed on February 8, 2010, in the referenced matter, we noticed that the documents listed on Attachment 4 of Appellant's Notice Designating Record on Appeal (Page 00037 of the Transcript) have not been included. For your convenience, we have attached a copy of Attachment 4, Page 00037 of the Transcript.

Pursuant to California Rules of Court, Rule 8.155, we request that the omitted portion of the requested record be prepared, certified and sent to the Court of Appeal, Second Appellate District.

Thank you for your professional courtesy and cooperation in this matter. If you wish to discuss the above, please do not hesitate to contact our office.

Very truly yours,

LAW OFFICES OF RHEUBAN & GRESEN

Steven M. Ciscle Steven M. Cischke

SC/di

Enclosure

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA SECOND APPELLATE DISTRICT

C____ R___

CHRISTOPHER LEE DUNN

Case No.:

BC 418792

Plaintiff(s) and

Notice(s) of Appeal Filed:

APPELLANT

FEBRUARY 8, 2010

vs.

CITY OF BURBANK, ET. AL.

VOLUME 1 OF 1 VOLUMES

Defendant(s) and

RESPONDENTS

Pages 1 to 38

CLERK=S TRANSCRIPT

HONORABLE IRVING SHIMER, JUDGE

Appeal from the Superior Court, Los Angeles County

APPEARANCES:

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Tel.#

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CHRISTOPHER LEE DUNN

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BRUKE, WILLIAMS & SORENSEN
444 SOUTH FLOWER STREET, SUITE 2400
LOS ANGELES, CA 90071

Tel.#

(213) 236-0600

Counsel for RESPONDENT,

CITY OF BURBANK, ET. AL.

Attachment

Attachment 4

Document Time and Description: Supplemental Declaration of Kristin A. Pelletier and

Request for Indical Notice
Date of Filing: October 1, 2009

Document Tale and Description: Request for Judicial Notice in Support of Opposition to

Special Motion to Strike

Date of Filing. September 25, 2009

Document Title and Description: Declaration of Solomon E. Gresen and Christopher Dunn

in Support of Opposition to Motion to Strike

Date of Filing: September 25, 2009

Document Title and Description: Opposition to Special Motion to Strike

Date of Filing: September 25, 2009

Document Title and Description: Special Motion to Strike

Date of Filing: August 28, 2009

Document Title and Description: Declaration of Kristin Pelletier in Support of Special

Motion to Strike

Date of Filing: August 28, 2009

Document Title and Description: Supplemental Declaration In Support of Special Motion

to Strike

Date of Filing: August 28, 2009

Document Title and Description: Declaration of Carol Humiston In Support of Motion to

Strike -

Date of Filing: August 28, 2009

Document Title and Description: Request for Judicial Notice In Support of Special Motion

to Strike

Date of Filing: August 28, 2009

Document Title and Description: Complaint

Date of Filing: July 28, 2009

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 4 I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California 91436.

OMITTED PORTION OF RECORD ON APPEAL on the interested parties in this action as follows:

On October 12, 2010, I served a copy of the following document described as **NOTICE OF**

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Kristin A. Pelletier, Esq. Burke, Williams & Sorensen, LLP 444 South Flower Street, Suite 2400 Los Angeles, California 90071 Facsimile: (213) 236-2700 Email: kpelletier@bwslaw.com

Carol Ann Humiston Senior Assistant City Attorney Office of the City Attorney 275 East Olive Avenue, Burbank, California 91510-6459 Facsimile: (818) 238-5724

Email: chumiston@ci.burbank.ca.us

Court of Appeal of the State of California Second Appellate District, Ronald Reagan State Building 300 South Spring Street Los Angeles, CA 90013

BY MAIL: By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am "readily familiar" with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. mail Postal Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

BY E-MAIL OR ELECTRONIC TRANSMISSION: Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is dj@rglawyers.com. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

BY OVERNIGHT DELIVERY: I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed as above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

STATE: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on October 12, 2010, at Encino, California.

Daphne Johnson

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